

LODGED CLERK, U.S. DISTRICT COURT
06/30/2022
CENTRAL DISTRICT OF CALIFORNIA
BY: DVE DEPUTY

UNITED STATES DISTRICT COURT

for the
Central District of California

United States of America

v.

Ratnesh Bhutani,

Defendant(s)

FILED
June 30, 2022
CENTRAL DISTRICT OF CALIFORNIA SOUTHERN DIVISION AT SANTA ANA BY <i>Nancy Bushme</i> Deputy Clerk, U.S. District Court

Case No. 8:22-mj-00475-DUTY

**CRIMINAL COMPLAINT BY TELEPHONE
OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 2022 in the county of Orange in the Central District of California, the defendant(s) violated:

Code Section

18 U.S.C. § 1073

Offense Description

Unlawful Flight to Avoid Prosecution

This criminal complaint is based on these facts:

Please see attached affidavit.

Continued on the attached sheet.

/s/ Steven Christopher Wrathall
Complainant's signature

Steven Christopher Wrathall, Special Agent (FBI)
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: June 30, 2022

DOUGLAS F. McCORMICK
Judge's signature

City and state: Santa Ana, California

Hon. Douglas F. McCormick, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

I, Steven Christopher Wrathall, being duly sworn, hereby depose and state the following:

I. INTRODUCTION

1. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI"), and have been so employed since February 1, 2009. I am assigned to the Orange County Violent Crime Task Force ("OCVCTF"). The OCVCTF is composed of federal and local law enforcement agencies, including, but not limited to, the FBI and detectives from the Anaheim Police Department (APD). The OCVCTF is responsible for, among other things, locating violent fugitives and investigating violent crime in Orange County.

2. I have worked on the violent crimes squad in Orange County since 2012 and have experience working a variety of violent crime offenses, including crimes against children, fugitives, death threats, and murder for hire, among others. I have also received ongoing training on these various violations since 2012.

II. PURPOSE OF AFFIDAVIT

3. This affidavit is made in support of a criminal complaint and arrest warrant against RATNESH BHUTANI ("BHUTANI"), for a violation of Title 18, United States Code, Section 1073 (Unlawful Flight to Avoid Prosecution).

4. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and

information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

III. SUMMARY OF PROBABLE CAUSE

5. On or about December 13, 2006, the Tustin Police Department ("TPD") began an investigation into the sexual assault of minor Jane Doe, who reported the ongoing sexual assault to a school counselor. Doe indicated that the repeated sexual assaults occurred over a two-year span by her cousin, BHUTANI. The assaults began when Doe was 14 years old. At the time, BHUTANI was 34 years old.

6. On April 27, 2007, BHUTANI was charged in Orange County Superior Court with violating California Penal Codes 289(A) (1) (Penetration with a Foreign Object), 286(B) (2) (Sodomy with a Minor), 288(C) (1) (Lewd Act with a Minor), and 261(A) (2) (Rape by Force), for which a warrant for his arrest was issued.

7. As detailed below, BHUTANI appears to have fled to India to avoid prosecution on these charges.

IV. STATEMENT OF PROBABLE CAUSE

8. In June 2022, I received information regarding BHUTANI from the Orange County District Attorney's Office ("OCDA").

Based upon my discussions with representatives of the OCDA and TPD, and my review of law enforcement reports, I know the following.

A. TPD's Investigation of BHUTANI

9. On or about December 13, 2006, Jane Doe reported to her school counselor that her cousin, BHUTANI, had been having sexual intercourse with her since 2005. TPD responded to the school, interviewed Jane Doe, and began an investigation.

10. When Jane Doe was interviewed, she said the sexual assault began when she was 14 years old and in 9th grade. Jane Doe said BHUTANI started to touch her on her breast and genital area, both over and under her clothing. Jane Doe's father was deceased, and when her mother was not present, BHUTANI would touch Jane Doe.

11. Jane Doe said BHUTANI asked her to hold his penis, which she did. Jane Doe also disclosed that BHUTANI inserted his finger into her vagina. After a few weeks of touching, BHUTANI went to the room where Jane Doe was sleeping, while her family was out of the house. He took off Jane Doe's top, pulled down her pants, and had sexual intercourse with her. Jane Doe also stated that BHUTANI placed his penis in her anus. She did not know if he wore condoms during these incidents.

12. Jane Doe said BHUTANI continued to have sexual intercourse with her every few weeks until July 2006. Jane Doe did not resist because she believed BHUTANI would become angry

with her. Jane Doe said BHUTANI knew she was scared. She would tell him to stop and cry afterwards. Jane Doe said if she did not give BHUTANI sex, he would take things away from her or not allow her to go to a dance. Jane Doe did not tell her mother because she believed her family would blame her.

13. Jane Doe's mother and BHUTANI had an argument in July 2006, and BHUTANI was then no longer welcome at her house. The sexual assaults stopped. In late November 2006, Jane Doe's mother and BHUTANI reconciled, and he was allowed back into Jane Doe's residence. Jane Doe was afraid the sexual assaults would resume and told her mother. Jane Doe's mother did not call the police because she said there was not proof and BHUTANI would become angry with the family. Jane Doe did not call the police because she was afraid. Jane Doe eventually confided in a Social Worker at her high school that BHUTANI had been having sexual intercourse with her, and the social worker reported it to the police.

14. Jane Doe received a voicemail message from BHUTANI stating he was sorry about everything, he knew he was a bad example, and he had been thinking about her. Under the supervision of the Tustin Police Department, Jane Doe made a recorded phone call to BHUTANI in January 2007. BHUTANI told Jane Doe he did not know at what level she hates him, that he was embarrassed and was not thinking right. Jane Doe said he took advantage of her, and BHUTANI responded by saying, "You

don't think I know." When she asked why, he said he did not know why, all he knew is that he loved her like crazy, like a madman. Jane Doe confronted BHUTANI about missing her period in 9th grade and being scared. BHUTANI referenced being in India and said he could not face her and was running from himself. BHUTANI told Jane Doe he loved her with a passion, in a psychotic way.

15. On or about April 27, 2007, Orange County Superior Court issued an arrest warrant for BHUTANI with a bail amount of \$500,000. On April 5, 2012, a bail enhancement was requested and granted, increasing the bail amount to \$3,000,000.

B. BHUTANI Fled to India.

16. On or about June 29, 2022, I reviewed border crossing records and learned that BHUTANI departed the United States on a flight from Los Angeles International Airport to London Heathrow Airport on December 19, 2006, and has not returned. This was approximately six days after Jane Doe reported the sexual assaults to her high school counselor.

17. On or about June 30, 2022, I reviewed Google records produced pursuant to a state search warrant for a Gmail account believed to be used by BUHTANI. The subscriber information provided for email address goldy.hbhutani@gmail.com indicate a birthday of July 27, 1973 (BHUTANI's DOB). The account was created on January 6, 2013, from an IP address that geolocates to India. IP record sessions also indicate that IP addresses

utilized as recently as May 2022 also geolocate back to India.

C. BHUTANI's Identifiers

18. According to California Department of Vehicles records and FBI National Crime Information Center reports, BHUTANI is (1) a male of south Asian descent, approximately 5 feet and 11 inches in height and weighing approximately 155 pounds, with brown hair and brown eyes; (2) has a date of birth of July 27, 1973; and (3) his Indian passport was A077981181.

D. OCDA's Intent to Extradite BHUTANI From India

19. On June 29, 2022, DDA Eya Garcia advised that the OCDA will seek to extradite BHUTANI from India and will pay any necessary expenses to do so.

V. CONCLUSION

20. For all the reasons described above, I submit there is probable cause to believe that BHUTANI fled the State of

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California with intent to avoid prosecution for the sexual assault related charges, in violation of Title 18, United States Code, Section 1073 (Unlawful Flight to Avoid Prosecution).

/s/

Steven Christopher Wrathall,
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on this 30th day of June 2022.

DOUGLAS F. MCCORMICK

HONORABLE DOUGLAS F. MCCORMICK
UNITED STATES MAGISTRATE JUDGE